

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 94-191-T - ORDER NO. 97-865
OCTOBER 14, 1997

JK

IN RE: Application of Jimmie Ray Collins DBA)	ORDER
Collins Moving & Storage, 3097 N.)	GRANTING
Blackstock Road, Spartanburg, SC 29301,)	AMENDED
to Amend Class E Certificate of Public)	AUTHORITY
Convenience and Necessity No. 9548.)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on rehearing of the Application of Jimmie Ray Collins DBA Collins Moving and Storage (Collins) for an expansion of authority for its Class E Certificate of Public Convenience and Necessity, held pursuant to our Order No. 97-686. The Application in this matter showed that Collins sought an expansion of authority for his household goods Class E Certificate of Public Convenience and Necessity from between points and places in Greenville and Spartanburg Counties to between points and places in South Carolina in general.

The rehearing was held on September 30, 1997 at 2:30 P.M. in the offices of the Commission. The Honorable Guy Butler, Chairman presided. Collins was represented by John G. Felder, Esq., John F. Beach, Esq., and F. Lee Prickett, Jr., Esq. The Intervenor Carey Moving & Storage, Carey Moving & Storage of Greenville, and Lytle's Transfer & Storage were represented by Carolyn Matthews, Esq. The Commission Staff was represented by F. David Butler,

General Counsel.

During the testimony of Jimmie Ray Collins, it was announced that a compromise had been reached between the parties. Rather than continuing to seek an amendment of his Class E Certificate for statewide authority, the parties agreed that Collins could seek authority from points and places in the following counties to points and places in South Carolina, and from points and places in South Carolina to the following counties: Anderson, Abbeville, Greenwood, Laurens, Newberry, Union, Spartanburg, Greenville, Pickens, Horry, Georgetown, Berkeley, Charleston, and Beaufort.

After hearing testimony from Collins, we believe that his company is fit, willing, and able to carry out the proposed service. It appears that Collins has considerable experience in the moving business. Collins owns some and leases some vehicles for use in its business. It appears that the 1961 vehicle cited by us in our last Order (Order No. 97-537) is used largely for ceremonial purposes. All vehicles are subject to USDOT inspections and intra-Company inspections as well. It appears that Collins has sufficient employees to carry out his business, and that he is financially able to do so. We now believe that Collins Moving & Storage meets the regulatory standard for "fit, willing, and able" for the scope of authority now sought here.

We also believe that with regard to the public convenience and necessity factor, the amended proposed service is required by the present public convenience and necessity. As Collins stated in the hearing, there is considerable growth in the Upstate. This

area, along with South Carolina's coast, are high transit areas. With regard to the Upstate, Collins noted in his testimony that some seventy-five (75) companies moved into the Upstate area as suppliers for the new BMW plant. This has increased the intrastate moves of personnel for these plants. Clearly, amended proposed service is required by the present public convenience and necessity.

Because of the reasoning state above,

IT IS THEREFORE ORDERED THAT:

1. That the amendment of Class E Certificate of Public Convenience and Necessity No. 9548 be, and hereby is, approved, as agreed upon above.

2. That the Applicant file the proper license fees and other information required by S.C. Code Ann. Section 58-23-10 et seq. (1976), as amended, and by R.103-100 through R.103-280 of the Commission's Rules and Regulations for Motor Carriers, S.C. Code Ann., Vol. 26 (1976), as amended, within sixty (60) days of the date of this Order, or within such additional time as may be authorized by the Commission.

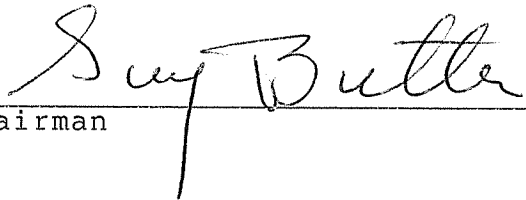
3. That upon compliance with S.C. Code Ann. Section 58-23-10, et seq. (1976), as amended, and the applicable provisions of R.103-100 through R.103-280 of the Commission's Rules and Regulations for Motor Carriers, S.C. Code Ann., Vol. 26 (1976), as amended, a certificate shall be issued to the Applicant authorizing the motor carrier services granted herein.

4. That prior to compliance with such requirements and

receipt of a certificate, the motor carrier services authorized herein may not be provided.

5. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Deputy Executive Director
(SEAL)